



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
P.O. Box 8044  
Madison, Wisconsin 53708-8044  
TDD #: (608) 264-8777

Jim Doyle, Governor  
Mary P. Burke, Secretary

## Wisconsin Department of Commerce, Bureau of PECFA Bid Document

### SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 49  
**Comm #:** 54639-8619-91-A  
**BRRTS #:** 03-63-000541  
**Site Name:** Marshall Farm (Former)  
**Site Address:** S3991 Cty Rd A, La Farge, 54639  
**Site Manager:** Mae Willkom  
**Address:** 1300 W Clairemont Ave  
**City, State Zip:** Eau Claire, WI 54702-4001  
**Phone:** 715-839-3748  
**e-mail:** mae.willkom@wisconsin.gov  
**Bid Manager:** Brian F. Taylor  
**Address:** P.O. Box 8044  
**City, State Zip:** Madison, Wisconsin 53708-8044  
**Phone:** (608) 266-0593  
**e-mail:** Brian.Taylor@Wisconsin.Gov

<b>Bid-Start Date:</b>	<b>May 28, 2007</b>
<b>Questions must be received by (See Section 2 (B)):</b>	<b>June 11, 2007 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (B)):</b>	<b>June 29, 2007</b>
<b>Bid-End Date and Time:</b>	<b>July 13, 2007 4:00 PM</b>

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

**Quality Quick Print-Eau Claire, 1213 Menomonie St, Eau Claire, WI 54703**  
**Phone: (715) 836-0049 Fax: (715) 836-7704**

## **SECTION 2 – Site-Specific Bid Requirements**

### **General Comments**

The former Marshall Farm is located on a ridge top in the Town of Union in Vernon County. Contamination was first discovered in 1990, when DNR received a complaint from landowners who had purchased the property on a land contract. Subsequent litigation ensued between the parties to the contract, and only very limited investigation was ever conducted. The contamination was determined to be pre-1985 agricultural grade gasoline, released from a 300-gallon underground storage tank.

### **Private Well Supply**

Three private water-supply wells (PW-1, PW-2, PW-3), as shown on Figure 6 of a March 23, 2004, letter report by Endeavor Environmental Services, Inc., were impacted and were removed from service, but were never abandoned, due to their potential for use as monitoring points and/or recovery wells. The farm was purchased in 2001 by David Mick, and subdivided into multiple parcels. The site is currently occupied by an Amish family, and on-site electricity and telephone may not be available. At least two new water-supply wells serving the subdivided properties (WI Unique Well Numbers SN504 and RN991) have been constructed, approximately 2300 and 1300 feet northwest of the site, respectively. There is also a private water-supply well (WUWN AJ754) on a farm located north of the Mick property on the East side of County Trunk Highway A.

A well construction report is available for only one of the three originally impacted wells, and no information is available on the depths of the other two wells. The existing report shows approximately 18 feet of clay overlying 92 feet of dolomite and greater than 200 feet of sandstone bedrock. The topography of most of the area is characterized by moderate relief and fairly well developed dendritic drainage. A steep hill with approximately 80 feet of relief slopes toward an intermittent stream, which is located approximately 500 feet from the site.

### **Hydrogeology**

The regional water table is in sandstone, at approximately 230 feet below ground surface. The direction of groundwater flow calculated from private water-supply well elevations appears unreliable, but references show groundwater flow in the regional aquifer is likely to the west-northwest.

To reduce copy costs, DNR has provided to the listed copy center only a portion of the most recent information materials. Additional and useful site information is contained in the case file at the regional office. Contact Mae Willkom to set up a time to be reserved for a file review.

Site activities shall begin within 60 days after obtaining a signed contract with the responsible party.

### **Minimum Remedial Requirements**

Remedial activities at this site will include pre and post-excavation groundwater sampling of out-of-service water supply wells and active potable wells; source excavation, including field screening and confirmation soil sampling; and reporting. Closure-related activities, including abandonment of out-of-service water supply wells may be required on a contingency basis following the completion of the

SOW, if applicable. Waste disposal costs for each activity must be included in the cost.

### **Pre-Excavation**

#### **Building Demolition**

Prior to site activities, the property owner is responsible for the demolition of a garage adjacent to the area of excavation. There is a utility pole in close proximity to the excavation which may also require removal. In addition, it is reported that well PW-2 was buried during previous excavation of a structure, and the property owner is responsible for uncovering the well to ensure its accessibility.

#### **Groundwater Sampling**

Remove well pumps and measure static water levels. Determine well depths and casing depths in PW-1 and PW-2. A well construction report for PW-3 is attached for reference. Purge and sample all three wells, and conduct laboratory analysis for PVOCs and lead.

In addition, conduct one round of pre-excavation groundwater monitoring in active potable wells SN504, RN 991, and AJ754 (across Hwy. A). Analyze for VOCs, and lead using drinking water Method 524.2.

#### **Reporting**

Submit a brief interim letter report after completion of initial well sampling to the WDNR Project Manager and one copy to the Commerce Project Manager. The interim report must include all static water level, well depth and casing depth measurements; and analytical results of water supply well sampling. The interim report must be submitted within 30 days after initial sampling.

### **Excavation**

Excavation activities on the site shall begin within 30 days after pre-excavation sampling.

Conduct a remedial excavation to remove the highly contaminated soil at GP-1, S-1, S-2, and GP-4. The excavation shall extend to bedrock at GP-1 and to as deep as can safely be reached by backhoe at GP-4. A sufficient volume of soil shall be removed to assure that the petroleum-saturated soil is removed from these areas to the extent practical. If analytical results from confirmation sampling show that residual concentrations exceed NR 746 screening levels indicative of residual petroleum product in soil pores, site-specific RCL calculations must be provided using NR 720.19 (5) criteria and the EPA soil screening calculator. Field screening instruments should be used to determine the extent of soil to be removed during excavation.

A representative number of appropriately-spaced confirmation sidewall and bottom (if possible) samples shall be taken in all areas of excavation and analyzed for PVOCs and lead.

The excavation shall be backfilled in one-foot lifts or less with a clean, low-permeability backfill, sloped for positive drainage.

For purposes of this bid, bidders shall assume the excavation and disposal of a total of 715 yd<sup>3</sup> of soil. Bidders must include on page three of their bid response a per ton unit excavation and disposal cost (commodity cost only) to be used to adjust the cap in the event there is significantly more or less tonnage actually

removed and disposed. Failure to provide a contingency unit cost will result in a non-compliant bid.

## **Post-Excavation**

### **Groundwater Sampling**

Conduct up to six quarterly rounds of post-excavation monitoring in all monitoring points. The first groundwater sampling event shall include PVOCs and lead. Subsequent rounds may be limited to PVOCs and any other eligible parameters historically detected in previous rounds. Bidders shall use an analytical method for EDB with the lowest practicable limit of detection. Natural attenuation (NA) parameters shall be collected twice at all monitoring points, once in the second post-excavation round of sampling and once again a year later. At a minimum, NA parameters must include dissolved oxygen, ferrous iron, nitrate, and sulfate.

Conduct two rounds of post-excavation sampling in active potable wells SN504, RN 991, and AJ754 (across Hwy. A), concurrent with the second and fourth rounds of post-excavation sampling in site monitoring points. Analyze for VOCs, using drinking water Method 524.2.

### **Reporting**

No later than 30 days after receipt of the laboratory analytical reports for the second and fourth round of groundwater monitoring, submit brief letter reports detailing all site activities to date (i.e. excavation activities and groundwater sampling results, including but not limited to summary groundwater result tables, etc.)

A final letter report, updated maps, tables, conclusions and recommendations, and other information not previously submitted shall be provided to both the DNR and Commerce within a 30-day period after receiving the laboratory results for the final round of groundwater monitoring.

While this bid is not a bid to closure, there is a possibility of attaining closure during the work scope conducted under this bid. Contaminant trends should be reviewed for closure during each reporting event. If closure is appropriate, a recommendation for closure should be provided in the report. If DNR agrees with this recommendation, a separate closure request (consistent with the requirements of ch. NR 726, Wis. Adm. Code) should be submitted. Consequently, bidders should include on page three of their bid response all closure-related costs (including water-supply well abandonment costs) to be used to adjust the cap in the event that closure is deemed appropriate. Well abandonment procedures must be compliant with NR 812 requirements for water-supply well abandonment. Failure to provide contingency costs will result in a non-compliant bid.

### **SECTION 3 - Reporting Timeframes**

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

#### Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

## Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

### **SECTION 4 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

## SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

## **SECTION 6 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).



## BID RESPONSE

(1<sup>st</sup> Page)

Department of Commerce PECFA Program

**SITE NAME: Marshall Farm (Former)**

**COMMERCE #: 54639-8619-91**

**BRRTS #: 03-63-000541**

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2790 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Complete Mailing \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (     ) - \_\_\_\_\_

Fax Number: (     ) - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: \_\_\_\_\_

## BID RESPONSE

(2<sup>nd</sup> Page)

Department of Commerce PECFA Program

**SITE NAME: Marshall Farm (Former)**

**COMMERCE #: 54639-8619-91**

**BRRTS #: 03-63-000541**

**Consulting Firm Name:** \_\_\_\_\_

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Pre and Post Excavation groundwater sampling	\$	
2	Excavation (715 yd <sup>3</sup> )	\$	
3	SOW Reporting		
4	PECFA Claim Preparation	\$	
<b>CONTINGENCY COSTS</b>			
1	Closure Request (if applicable)	\$	
2	Well Abandonment	\$	
	<b><u>Total Bid Amount</u></b>	\$	